Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 1 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 2 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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	5. I (or the entity on whose beha	alf I am acting) will reta	in all de	fenses or objec	tions to the lawsuit
or to	the jurisdiction or venue of the Co	urt except for objections	based o	on a defect in th	ne Notice in Lieu of
	mons or in the service of the Notice				

Date: 1/2/13

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

Trustee

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Rage 3 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS CO

2013 JAN 15 PM 2: 42

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

usly Diane Ceel Date: January 10, 2013 Signature Shirley Diane Cecil Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: The John and Shirley Cecil Revocable Living Trust, (Corporate, Trust, Partnership or other entity) October 15, 2004

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 4 of 45 IN THE UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA, 4 Plaintff 5 WALKER RIVER PAIUTE TRIBE,) 6 Plaintiff-Intervenor IN EQUITY NO. C-125 7 VS. SUBFILE NO. C-125-B 8 WALKER RIVER IRRIGATION DISTRICT. 9 10 a corporation, et al., 11 Defendant 12 13 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 14 1. I hereby enter my appearance in this sub-proceeding in this case. 15 2. I am filing this document with the District Court at the following address: 16 Chief Deputy Clerk 17 United States District Court for the 18 District of Nevada 400 South Virginia Street, Suite 301 19 Reno, Nevada 89501 20 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 21 Summons, I am mailing a copy of this document to: 22 Susan L. Schneider Attorney for the United States of America 23 United States Department of Justice 24 Environment & Natural Resources Division 999 18th Street, South Terrace - Suite 370 25 Denver, Colorado 80202 26 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 2 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 3 5. If I (or the entity on whose behalf I am acting) have retained an attorney to 4 represent me in these proceedings, I identify that attorney below, along with his or her mailing 5 address, telephone number, facsimile number, and e-mail address: 6 Attorney: 7 Address: 8 9 10 Phone Number: Fax Number: 11 E-mail Address: 12 13 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 14 electronic filing procedures of the U.S. District Court for District of Nevada. 15 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 16 register as Filing Users of the System. Registration shall be in the form prescribed by 17 the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 18 19 (Signature) 20 My Dean Cirl 21 (Printed or typed Name) Shirley Diane Cecil, Trustee 22 23 The John and Shirley Cecil Revocable Living (Entity, if any, on whose 24 behalf you are appearing) Dated, 25 October 15, 2004 P.O. 654 26 Bridgeport, CA 93517 (Address) 27 (760) 932 - 7924(Telephone number) 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 5 of 45

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 12/2/2012

Signature_

Drew V. Clark

Rath E Clark

Kuth & Clark

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: /rustees

_____of

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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ase 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 7 of 45 IN THE UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA, 4 Plaintff 5 WALKER RIVER PAIUTE TRIBE,) 6 IN EQUITY NO. C-125 Plaintiff-Intervenor 7 SUBFILE NO. C-125-B vs. 8 WALKER RIVER IRRIGATION DISTRICT, 9 10 a corporation, et al., 11 Defendant 12 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 13 I hereby enter my appearance in this sub-proceeding in this case. 14 1. 15 I am filing this document with the District Court at the following address: 2. 16 Chief Deputy Clerk 17 United States District Court for the District of Nevada 18 400 South Virginia Street, Suite 301 19 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 20 3. 21 Summons, I am mailing a copy of this document to: 22 Susan L. Schneider Attorney for the United States of America 23 United States Department of Justice Environment & Natural Resources Division 24 999 18th Street, South Terrace - Suite 370 25 Denver, Colorado 80202 26 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 8 of 45

- 11	
1 2	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect to the lawsuit or to the jurisdiction or venue of the Notice in Lieu of Summons.
3 4	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 5. If I (or the entity on whose behalf I am acting) have retained an attorney to
	represent me in these proceedings, I identify that attorney below, along with his or her mailing
5	address, telephone number, facsimile number, and e-mail address:
6	Attorney:
7	Address:
8	
9	
10	Phone Number:
11	Fax Number:
12	E-mail Address:
13 14	PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.
15	lead to be a fithin court, admitted to participate in a case
16	pro hac vice, or who are authorized to represent the officed states and prescribed by
17 18	the Clerk of the Court and by these Electronic Thing Tolking Procedures (rev. Aug. 24, 2006) at I.C. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
19	(Signature) Drew J. Clark
20	Ruth & Clark
21	(Distributed Name)
	Clark Family 18451 6-11-2001
22	
23	(Entity, if any, on wheel
24	
2	7300 Jena Rd Social Field VA 2215
2	(Address)
2	(Telephone number)
_	O II

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 9 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: Jan. 3, 2013

Signature

Appeles 6. List Ton

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

se 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 10 of 45 IN THE UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA, 4 Plaintff 5 WALKER RIVER PAIUTE TRIBE,) 6 IN EQUITY NO. C-125 Plaintiff-Intervenor 7 SUBFILE NO. C-125-B vs. 8 WALKER RIVER IRRIGATION DISTRICT, 9 10 a corporation, et al., 11 Defendant 12 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 13 I hereby enter my appearance in this sub-proceeding in this case. 14 1. 15 I am filing this document with the District Court at the following address: 2. 16 Chief Deputy Clerk 17 United States District Court for the District of Nevada 18 400 South Virginia Street, Suite 301 19 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 20 21 Summons, I am mailing a copy of this document to: 22 Susan L. Schneider Attorney for the United States of America 23 United States Department of Justice Environment & Natural Resources Division 24 999 18th Street, South Terrace - Suite 370 25 Denver, Colorado 80202 26 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

of 45 \mathbf{C}

С	se 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 11
1	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
2	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
3	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
4	5. If I (or the entity on whose behalf I am acting) have retained an attorney to
	represent me in these proceedings, I identify that attorney below, along with his or her mailing
5	address, telephone number, facsimile number, and e-mail address:
6	Attorney:
7	Address:
8	
9	
10	Phone Number:
11	Fax Number:
12	E-mail Address:
13	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
14	electronic filing procedures of the U.S. District Court for District of Nevada.
15	"Attorneys who are admitted to the bar of this court, admitted to participate in a case
16	pro hac vice, or who are authorized to represent the United States and its agencies, states are the System Registration shall be in the form prescribed by
17	the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., E Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
18	

(Signature),

(An. 3, 2013 (Printed or typed)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

(Printed or typed Name)

(Entity, if any, on whose behalf you are appearing)

(Telephone number)

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EXHIBIT 28

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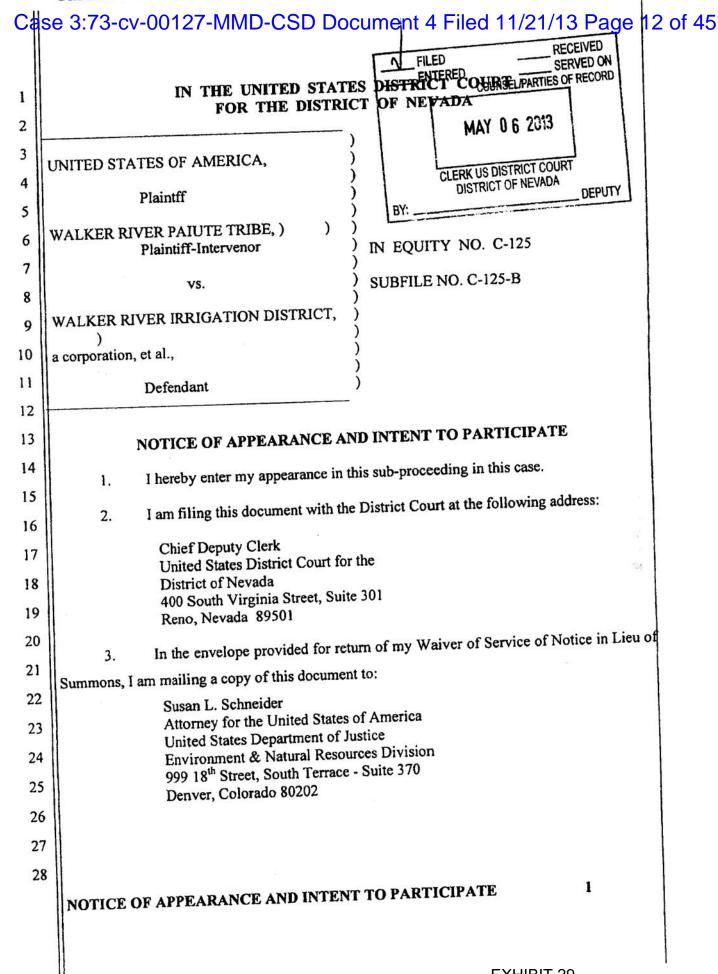
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	4.	I (or the entity on whose behalf I am acting) will retain all defenses or objections
to th	ne lawsuit	or to the jurisdiction or venue of the court except for objections based on a defect
in th	e Notice	in Lieu of Summons or in the service of the Notice in Lieu of Summons.*

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

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Address:

Phone Number:

Fax Number:

E-mail Address:

<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.

I also reserve the defense that the court lacks jurisdiction as to any ground water under or about my property because there is no hydrologic connection between such ground water and any surface water.

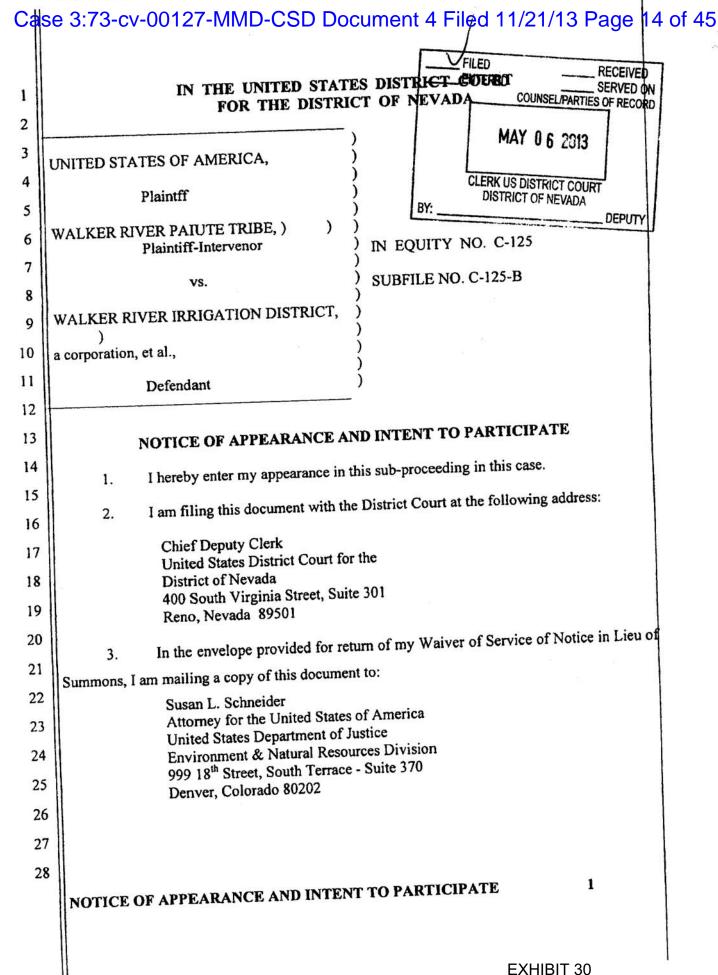
Jim Control

(Entity, if any, on whose behalf you are appearing)

P.O. Box 126 Topaz, CA 96133 (Address) (530) 495-2115

(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE



Case 3:73-cv-00127-RCJ-WGC Document 1869 Filed 05/06/13 Page 2 of 4

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 15 of 45

	4.	I (or the entity on whose behalf I am acting) will retain all defenses or objections
to th	ne lawsu	it or to the jurisdiction or venue of the court except for objections based on a defec
		in Lieu of Summons or in the service of the Notice in Lieu of Summons. *

5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

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Address:

Phone Number:

Fax Number:

E-mail Address:

<u>PLEASE NOTE:</u> Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

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* I also reserve the defense that the court lacks jurisdiction as to any ground water under or about my property because there is no hydrologic connection between such ground water and any surface water.

(Signature)

(Entity, if any, on whose behalf you are appearing)

P.O. Box 126 Topaz, CA 96133 (Address) (530) 495-2115

(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 16 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Signature

Harold J. Curti Jr.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

st 3:73-cv-00127-RCJ-wGC Document 1871 Filed 05/10/13 Fage 1 0 3
3-cv-00127-MMD-CSD Document 4 Filed 44/2913 Page 17 RECENTED SERVED OF COUNSEL/PARTIES OF RECORD
IN THE UNITED STATES DISTRICT COURAY 16 2013 FOR THE DISTRICT OF NEVADA
JNITED STATES OF AMERICA, CLERK US DISTRICT COURT
Plaintiff, BY: DISTRICT OF NEVADA DEPUTY
WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125
Plaintiff-Intervenor, SUBFILE NO. C-125-B
ys {
WALKER RIVER IRRIGATION DISTRICT, corporation, et al.,
NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
1. I hereby enter my appearance in this sub-proceeding in this case.
2. I am filing this document with the District Court at the following address:
Chief Deputy Clerk
United States District Court for the District of Nevada
400 South Virginia Street, Suite 301 Reno, Nevada 89501
3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
Summons, I am mailing a copy of this document to:
Andrew "Guss" Guarino Attorney for the United States of America
United States Department of Justice Environment & Natural Resources Division 999 18th Street
South Terrace, Suite 370 Denver, Colorado 80202
4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
ne in these proceedings, I identify that attorney below, along with his or her mailing address,
elephone number, facsimile number, and e-mail address:
NORTOR OF ANNA STATE OF THE STA
NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2
EXHIBIT 31

Case 3:73-cv-00127-RCJ-WGC Document 1871 Filed 05/16/13 Page 2 of 3

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 18 of 45

1 2 Attorney: 3 4 Address: 5 6 7 Phone Number: 8 Fax Number: 9 E-mail Address: 10 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 11 electronic filing procedures of the U.S. District Court for District of Nevada. 12 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 13 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 14 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 15 16 17 (Signature) 18 19 20 HAROLD J. CURTI JR 21 801 Larson Lane 22 Coleville, CA 96107 345 23 (Entity, if any, on whose 24 behalf you are appearing) 801 Larson Lv. 25 26 (Address) 27 530-495-2558

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

28

(Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 1990f 45

ManahaanMhahaanaanahahannah

district Court of Neurosa

KENO NY 895



Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 20 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsu	ıit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu	of
Suramons or in the service of the Notice in Liey of Summons.	٠.
. 1	

Date: 12.10

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 21 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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or to the jurisdiction or venue of the	Court except for objections based on a	defect in the Notice in Lieu of
Summons or in the service of the No	otice in Lieu of Summons	
	. ////	9
1-5-12	110	60

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: ________of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 22 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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	5. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections to the lawsuit
or to th	e jurisdiction or venue of the Court except f	or objections based on a defect in the Notice in Lieu of
Summo	ons or in the service of the Notice in Lieu of	Summons

Date: 5/14/13

Signature/

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>member</u>

_____of

t. (1 tile)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 23 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:7\$-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 24 of 45 1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 INITED STATES OF AMERICA, 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, 9 corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 summons, I am mailing a copy of this document to: 18 Andrew "Guss" Guarino 19 Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division 20 999 18th Street 21 South Terrace, Suite 370 Denver, Colorado 80202 22 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections 23 o the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 24 n the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 25 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 5. 26 ne in these proceedings, I identify that attorney below, along with his or her mailing address, 27 elephone number, facsimile number, and e-mail address: 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:7\$-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 25 of 45 1 2 Attorney: 3 Address: 4 5 6 7 Phone Number: 8 Fax Number: E-mail Address: 9 10 PLEASE NOTE: Attorneys are reminded that they are required to comply with the 11 electronic filing procedures of the U.S. District Court for District of Nevada. 12 "Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall 13 register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., 14 Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C. 15 16 17 (Signature) 18 19 20 (Printed or typed Name) 21 22 23 (Entity, if any, on whose behalf you are appearing) 24 25 26 (Address) 27 (Telephone number) 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 26 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-31-202

Signature

Diane L. Davis

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 27 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Signatur

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 28 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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Date: Jan 4, 2013

Signature Ellsworth

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Trustee

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 29 df 45 IN THE UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA, 4 Plaintff 5 WALKER RIVER PAIUTE TRIBE,)) 6 Plaintiff-Intervenor IN EQUITY NO. C-125 7 VS. SUBFILE NO. C-125-B 8 WALKER RIVER IRRIGATION DISTRICT, 9 10 a corporation, et al., 11 Defendant 12 13 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 14 I hereby enter my appearance in this sub-proceeding in this case. 1. 15 I am filing this document with the District Court at the following address: 2. 16 Chief Deputy Clerk 17 United States District Court for the 18 District of Nevada 400 South Virginia Street, Suite 301 19 Reno, Nevada 89501 20 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 21 Summons, I am mailing a copy of this document to: 22 Susan L. Schneider Attorney for the United States of America 23 United States Department of Justice 24 Environment & Natural Resources Division 999 18th Street, South Terrace - Suite 370 25 Denver, Colorado 80202 26 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1

EXHIBIT 37

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 30 of 45

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- 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
- 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, facsimile number, and e-mail address:

Attorney:

Address:

Phone Number:

Fax Number:

E-mail Address:

PLEASE NOTE: Attorneys are reminded that they are required to comply with the electronic filing procedures of the U.S. District Court for District of Nevada.

"Attorneys who are admitted to the bar of this court, admitted to participate in a case pro hac vice, or who are authorized to represent the United States and its agencies, shall register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D. Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at L.C.

Signature)

(Address)

(Entity, if any, on whose behalf you are appearing)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 31 of 45 IN THE UNITED STATES DISTRICT COURT 1 FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA, 4 Plaintff 5 WALKER RIVER PAIUTE TRIBE,) 6 Plaintiff-Intervenor IN EQUITY NO. C-125 7 VS. SUBFILE NO. C-125-B 8 WALKER RIVER IRRIGATION DISTRICT, 9 10 a corporation, et al., 11 Defendant 12 13 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 14 I hereby enter my appearance in this sub-proceeding in this case. 1. 15 I am filing this document with the District Court at the following address: 2. 16 Chief Deputy Clerk 17 United States District Court for the 18 District of Nevada 400 South Virginia Street, Suite 301 19 Reno, Nevada 89501 20 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 21 Summons, I am mailing a copy of this document to: 22 Susan L. Schneider Attorney for the United States of America 23 United States Department of Justice 24 Environment & Natural Resources Division 999 18th Street, South Terrace - Suite 370 25 Denver, Colorado 80202 26 27 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 32 of 45

- 1	
1	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
2	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
3	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
4	5. If I (or the entity on whose behalf I am acting) have retained an attorney to
5	represent me in these proceedings, I identify that attorney below, along with his or her mailing
	address, telephone number, facsimile number, and e-mail address:
6	Attorney:
7	Address:
8	
9	
0	Phone Number:
1	Fax Number:
2	E-mail Address:
3	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
4	electronic filing procedures of the U.S. District Court for District of Nevada.
5	"Attorneys who are admitted to the bar of this court, admitted to participate in a case
6	pro hac vice, or who are authorized to represent the United States and its agencies, shall
7	register as Filing Users of the System. Registration shall be in the form prescribed by the Clerk of the Court and by these Electronic Filing Procedures." U.S. Dist. Ct., D.
8	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
	Cruy Ellaunth
9	(Signature)
20	Carolyn Ellsworth
21	(Printed or typed Name)
22	
23	Delk Family Trust (Entity, if any, on whose
24	behalf you are appearing)
25	11725 12 Ford Ave
26	Las Vegas, NV 89139 (Address)
27	(Address) / 702 - 897 - 8763
28	(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 33 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 1/14/13

The Zon

N. Edward Denton

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: __Trustee__

(Title)

The Denton Family Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

;	Case 3:73-cv-00127-RCJ-WGC Document 1824 Filed 01/15/13 Page 1 of 2
Cas	e 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 34 of 45
1 2 3	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEWADA ENTERED OCCUPANTION UNITED STATES OF AMERICA, AND 15 773
4 5 6	Plaintff WALKER RIVER PAIUTE TRIBE,)) CLERK US DISTRICT OF 11-1-1-1 DEPUTY
7 8 9	Plaintiff-Intervenor VS. SUBFILE NO. C-125-B WALKER RIVER IRRIGATION DISTRICT,
10	a corporation, et al.,
11	Defendant)
13 14 15 16 17 18	1. I hereby enter my appearance in this sub-proceeding in this case. 2. I am filing this document with the District Court at the following address: Chief Deputy Clerk United States District Court for the District of Nevada
19 20 21 22	400 South Virginia Street, Suite 301 Reno, Nevada 89501 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons, I am mailing a copy of this document to: Susan L. Schneider
23 24 25	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division 999 18 th Street, South Terrace - Suite 370 Denver, Colorado 80202
26 27 28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 36 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

BATON FAMILY TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 37 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5.02.13

Henry W. Etcl- deceased
Signature, . C. - M-

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Fuectory of

in liter Morti

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 38 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Signature Dawne. Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 39 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

THE acting as: REVODABLE TRUST ONDER TRUST

(Title) AGREEMENT DATES MARCH 16, 1995 POBOXZIZ BRIDGEPORT, CA 93517

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Of Procedure requires certain parties to control of the Control of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 40 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4/7/13

Signature

MNNEL, ENOS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TENSTEE REVOSABLE TROSTOF

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 41 of 45

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will reta	in all defenses and it
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Summons or in the service of the Notice in Lieu of Summons.	s based on a defect in the Notice in Lieu of
of the service of the Notice in Lieu of Summons.	

Signature Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 4 Filed 11/21/13 Page 42 of 45 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Guss Guarino, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2 25 2013

ignature SOUD U. FELBER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>trustee</u> of

(Title)

JOHN H. FELBER TRUST DTD SEPT 4, 2002

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 12-20-12

Signature TOHN H. FELBER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

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1	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
2	
3	UNITED STATES OF AMERICA,
5	Plaintff)
6	WALKER RIVER PAIUTE TRIBE,))) Plaintiff-Intervenor) IN EQUITY NO. C-125
7)
8)
9	WALKER RIVER IRRIGATION DISTRICT,)
10	a corporation, et al.,
11	Defendant)
12	
13	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
14	 I hereby enter my appearance in this sub-proceeding in this case.
15 16	 I am filing this document with the District Court at the following address:
17	Chief Deputy Clerk
18	United States District Court for the District of Nevada
19	400 South Virginia Street, Suite 301 Reno, Nevada 89501
20	Woiver of Service of Notice in Lieu o
21	3. In the envelope provided for return of thy warver of Service of Action Summons, I am mailing a copy of this document to:
22	Susan L. Schneider
23	Attorney for the United States of America United States Department of Justice
24	Environment & Natural Resources Division
25	999 18 th Street, South Terrace - Suite 370 Denver, Colorado 80202
26	
27	
28	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 1

EXHIBIT 44

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Н	
.	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
,	to the lawsuit or to the jurisdiction of venue of the court except for objections based on a defect
3	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
	If I (or the entity on whose behalf I am acting) have retained an attorney to
4 _	represent me in these proceedings, I identify that attorney below, along with his or her mailing
5	address, telephone number, facsimile number, and e-mail address:
6	Attorney:
7	Address:
8	
9	
0	Phone Number:
1	Fax Number:
2	E-mail Address:
13	PLEASE NOTE: Attorneys are reminded that they are required to comply with the
14	electronic filing procedures of the U.S. District Court for District of Nevada.
15	"Attorneys who are admitted to the bar of this court, admitted to participate in a case
16	pro hac vice, or who are authorized to represent the United States and its agencies, sharp
17	the Clerk of the Court and by these Electronic Filing Procedures. O.S. Dist. Str., 20
18	Nev., Electronic Filing Procedures (rev. Aug. 24, 2006) at I.C.
19	(Signature)
20	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
21	(Printed or typed Name)
22	
23	
24	(Entity, if any, on whose behalf you are appearing)
25	32 221 254
26	WELDON, CA 93283
27	(Address) 760-378-3952
28	(Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

EXHIBIT 44